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Despatch 1075, December 18, 1957; Your 1027, Berlins 315, 316

Agree essential that GFR and Berlin authorities understand basis for tripartitely agreed contingency plans in event GFR officials replace Soviets at check points. Possible widespread dismay might be caused among Germans if we automatically apply agreed formula dating back to 1954 without informing them fully.

Accordingly, Section I of Policy Paper enclosed with reference despatch should (with tripartite concurrence) be discussed at appropriately high level with GFR soonest, with strong caution concerning sensitivity of information. Berlin follow same procedure to inform Brandt. Stress should be placed on fact that these contingency plans, drawn up under High Commission and kept under review since, represent realistic attempt to adjust to possible new situations, on basis implied agency function of GFR officials but stop short of action recognizing GFR controls as sovereign right.

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We are also concerned that NATO countries might misunderstand application agreed formula. However, security considerations probably make undesirable volunteer any discussion of subject in NAC unless raised by others or until it becomes apparent contingency planning will be put in effect. Hence propose mention contingency planning only in response to specific inquiries such as made by Italian Ambassador Brosio to Elbrick November 13. During general discussion Berlin situation (memorandum of conversation being pouched all addressee posts) Brosio asked how far we prepared to go in contact with GDR officials. It was explained that there has been considerable Allied contingency planning to meet various theoretical situations/which might arise on Allied access routes. We would continue insist on ultimate Soviet responsibility, regarding GDR officials as essentially agents of Soviets. Obviously difficult problems involved in determining how far we can go in any given situation.

Concept of GDR officials acting as agents of Soviets was spelled out in earlier versions of contingency plans. We have noted failure to make specific reference to agency concept in latest Policy Paper but assume changed wording did not derive from abandonment of usefulness of concept for public purposes.

Embassy Bonn should immediately work out tripartitely agreed statement for release to press and NATO at moment it becomes necessary put contingency plans into operation.

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